



FEB 11 2002

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## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
 UNITED STATES PATENT AND TRADEMARK OFFICE  
 WASHINGTON, D.C. 20231  
[www.uspto.gov](http://www.uspto.gov)



APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/983,054	10/16/2001	Gerald.Yakatan	AVANIR.C61CP3

CONFIRMATION NO. 8193

## FORMALITIES LETTER



\*OC000000007104066\*

20995  
 KNOBBE MARTENS OLSON & BEAR LLP  
 620 NEWPORT CENTER DRIVE  
 SIXTEENTH FLOOR  
 NEWPORT BEACH, CA 92660

COPY OF PAPERS  
 ORIGINALLY FILED

Date Mailed: 11/21/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

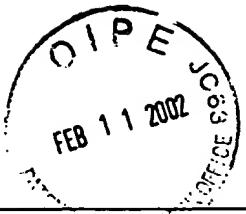
An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 65.**

37 CFR 1.53(b) ADDRESS: 620 NEWPORT CENTER DRIVE

*A copy of this notice MUST be returned with the reply.*

Customer Service Center  
 Initial Patent Examination Division (703) 308-1202  
 PART 2 - COPY TO BE RETURNED WITH RESPONSE



COPY OF PAPERS  
ORIGINALLY FILED

Case Docket No. AVANIR.C61CP3  
Date: January 21, 2002

SEARCHED

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Jagadish C. Sircar et al.

App. No. : 09/983,054

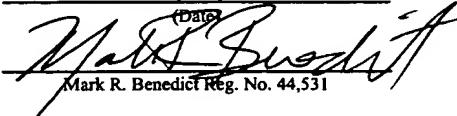
Filed : October 16, 2001

For : BENZIMIDAZOLE  
DERIVATIVES AS  
MODULATORS OF IgE

Group Art Unit : 1614

I hereby certify that this correspondence and all  
marked attachments are being deposited with the  
United States Postal Service as first class mail in  
an envelope addressed to: Assistant Commissioner  
for Patents, Washington, D.C. 20231, on

January 21, 2002



Mark R. Benedict Reg. No. 44,531

TRANSMITTAL LETTER

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

ATTENTION: BOX MISSING PARTS

Dear Sir:

In response to the Notice to File Missing Parts of Application Under 37 CFR 1.53(f),  
which was mailed by the Office on November 21, 2001, enclosed are:

- (X) An executed Declaration and Power of Attorney.
- (X) The present application qualifies for small entity status under 37 C.F.R. § 1.27.
- (X) A Verified Statement (Declaration) Claiming Small-Entity Status in two (2) pages.
- (X) A Notice to File Missing Parts.
- (X) A Copy of the Assignment in four (4) pages.
- (X) Return prepaid postcard.

PATENT

Case Docket No. AVANIR.C61CP3

Date: January 21, 2002

(X) Fees as calculated below:

SURCHARGE 37 CFR 1.16(e)	\$ + 130
TOTAL OF ABOVE CALCULATIONS	\$ 130
REDUCTION BY 1/2 FOR FILING BY SMALL ENTITY.	
Note 37 CFR 1.9, 1.27, 1.28. If applicable, verified statement must be attached. \$ - 65	
TOTAL FEES SUBMITTED HEREWITH	\$ 65

(X) A check in the amount of \$65.00 to cover the above fees is enclosed.

(X) The Commissioner is hereby authorized to charge any additional fees which may be required, now or in the future, or credit any overpayment, to Account No. 11-1410.

  
\_\_\_\_\_  
Mark R. Benedict  
Registration No. 44,531  
Attorney of Record

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